

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) Criminal No. 16-40025-TSH
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)
IVAN CRUZ-RIVERA, *et al.*)
Defendants)
)
)

ORDER OF EXCLUDABLE DELAY

April 18, 2018

HILLMAN, D.J.

Order Of Excludable Delay

For the reasons set forth below, I hereby ORDER the exclusion of time pursuant to the below referenced provisions of the Speedy Trial Act from December 6, 2016 through and including, October 1, 2018 (date of trial).

The Court had previously entered an Order of Excludable time through December 6, 2016, the date set for an interim status conference. Thereafter, the parties requested a continuance for among other purposes, the filing of motions to suppress by the Defendants and the Government's opposition thereto. Since that time, the Defendants have each filed motions to suppress and the Court has held extended hearings on those motions and permitted supplemental filings by the parties. The motions remain under advisement. Other motions have also been filed, one of which remains pending. A trial date was set for April 2, 2018. The Court informed the parties, without objection, that time would be excluded through the trial date. On February 8, 2018, Defendant, Cruz-Rivera filed a motion to continue the trial. That motion was

allowed and the trial has been set for October 1, 2018; I informed the parties, without objection, that time would be excluded through that date.

Considering these circumstances, I exclude this time pursuant to the provisions of 18 U.S.C. § 3161(7)(A) because I find that the ends of justice outweigh the interests of the Defendants and the public in a speedy trial, and 18 U.S.C. §3161(h)(1)(D) as delay resulting from the filing of pre-trial motions. I further find that to not grant such a continuance would deny the Defendants and the Government the reasonable time necessary for effective preparation of their respective cases. *See* 18 U.S.C. §3161(h)(7)(B)(iv)(failure to grant continuance would deny counsel reasonable time necessary for effective preparation).

/s/ *Timothy S. Hillman*

TIMOTHY S. HILLMAN
UNITED STATES DISTRICT JUDGE